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C O N F I D E N T I A L BOGOTA 000792

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NSC FOR ONDCP

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TAGS: [SNAR](#) [PGOV](#) [KJUS](#) [CO](#)  
SUBJECT: COMMISSION OF FORMER LATIN PRESIDENTS SUGGESTS  
DEBATE OVER DRUG POLICIES

REF: 09 BOGOTA 749

Classified By: Political Counselor John Creamer  
Reasons 1.4 (b and d)

#### SUMMARY

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1 (C) The Latin American Commission on Drugs and Democracy, headed by former Colombian President Cesar Gaviria, former Mexican President Ernesto Zedillo, and former Brazilian President Fernando Henrique Cardoso, released a report on February 11th questioning the priorities of the USG and GOC counternarcotics strategy. The group criticized the "prohibitionist" U.S. strategy and urged consideration of the European "reduction of harm," or public health, model. The report urged decriminalizing marijuana for personal use. President Uribe vehemently rejected the Commission's conclusions and urged his coalition to re-criminalize the possession of small amounts of drugs (legalized by the Constitutional Court in 1994). Gaviria later told us that he had sought to make the declaration balanced, insisting that it highlight the lack of European support for antidrug efforts and ensuring it did not criticize the use of the military or aerial eradication. End summary.

#### COMMISSION CALLS CURRENT STRATEGY A FAILURE

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[12.](#) (U) The report said the USG's "prohibitionist" policies based on repressing production, interdicting shipments, and criminalizing consumption have failed to achieve their desired results. Latin America remained the world's primary exporter of cocaine and marijuana, while consumption levels in Latin America continued to rise. The policies have inflicted a huge human toll and threatened democratic institutions: increased levels of organized crime, higher levels of violence, and widespread corruption of politicians and public security forces. The report cited Colombia as an example of these policy shortcomings, arguing that the cultivation of coca and export of cocaine increased despite 30 years of anti-narcotics efforts. It cited the escalating drug-fueled violence in Mexico as further evidence that the policies have failed.

[13.](#) (U) The Commission lauded Europe's approach of reducing

the damage caused by drugs and treating the problem as a public health issue. Still, the Commission argued that the best long-term solution to the drug problem was demand reduction, which it argued Europe failed to do. The report concluded with a call for a new paradigm for the drug problem in Latin America. It recommends: (1) treating drug consumers and addicts as public health patients versus criminals, (2) considering the decriminalization of marijuana for personal use, (3) cutting consumption by targeting young people with education, (4) focusing law enforcement efforts on organized crime rather than drug users, and 5) reorienting drug eradication strategies to focus on alternative development for growers.

#### GOC REJECTS LEGALIZATION AMID INTERNAL TENSIONS

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¶4. (U) President Uribe immediately rejected the report's conclusions, saying decriminalization was contradictory to the fight against narcotraffickers. He urged legislators to re-criminalize the use of small amounts of drugs for personal use, noting that the Constitutional Court in 1994 legalized the possession of so-called "personal doses" of marijuana, cocaine, and other drugs. President Uribe told the Ambassador and visiting HACFO Chair Nita Lowey on February 18 that drug consumption in Colombia had increased (reftel) and that the legalization of the "personal dose" would worsen that problem and weaken the moral arguments in Colombia's efforts to combat narcotics trafficking. Minister of Interior and Justice Fabio Valencia Cossio added that as part of the recriminalization, the GOC would offer treatment options through drug courts for first-time nonviolent

offenders. Prosecutor General (Fiscal) Mario Iguaran disagreed with Uribe's approach, urging more emphasis on treatment and prevention and less on law enforcement. Vice President Santos, responding directly to the Commission's report, cited improvements in Colombia's security and the subsequent improvement in its ability to attract investment as reasons to continue the current approach.

¶5. (C) Former President and Liberal Party chief Cesar Gaviria privately told us that he sought to make sure the Commission's declaration was balanced, insisting that the report highlight the lack of European support for the antidrug effort and did not undercut GOC policy by criticizing the use of the military or aerial eradication. He said he does not support legalization, which he believes would send the message that drugs are acceptable (Gaviria was President when Colombia legalized possession for personal use and criticized the decision at the time). He said he does advocate greater flexibility in treatment options. Gaviria said he believes the current USG approach has helped improve Colombian security, but it has not reduced the flow of drugs to the United States.

¶6. (C) Gaviria said Cardoso and the other Brazilian participants were the major players in the Commission and brought a soft, pro-legalization approach to the exercise. Former Mexican President Zedillo and the Mexican members did not actively participate, with Zedillo pulling the plug on a Commission meeting set for Mexico City at the last minute after consulting with President Calderon. Gaviria said it was important to encourage continued debate over drug policy, and added that he planned to participate in a follow-up event on April 6 at the Brookings Institution in Washington.

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